

EXHIBIT E

AIRPORT PROCEDURES AND ORDERS

Revised: February 3, 2000

Supersedes all previous procedures and directives - same subject.
Lt. K. Hassett

ACD PROCEDURES - JFKIA

The following describes the procedures to be followed and the forms to be used for the identification, recovery, processing, and disposal of the following categories of vehicles:

1. Abandoned
2. Stolen Recovered
3. Safekeeping
4. Evidence, Used in Commission of a Crime
5. Traffic and VTL Violations

Included are instructions for the preparation and processing of the required forms, the preparation of summary reports and a description of the duties of the Abandoned Car Detail, (ACD).

PURPOSE

These instructions supersede all prior instructions and procedures utilized by ACD and members of this Department in the handling of vehicles categorized above. The purpose of these instructions are to standardize the procedures used by all members of the force and to be in full compliance with the procedures recommended and approved by the New York State Department of Motor Vehicles, and to institute a more timely procedure and accountability for any, and all vehicles that come into this Departments control and possession. This procedure must be followed without deviation. The ultimate objective is to avoid prolonged possession of vehicles that come into our control and to dispose of unclaimed, or abandoned vehicles, in full compliance with State vehicle disposition requirements. Adherence to this procedure will prevent any vehicle from being in our possession or control for more than 90 days.

The procedures that follow are based largely on Sections 215, 415-a, and 1224 of the New York State Vehicle and Traffic Law and Parts 18 and 81 of the Commissioner's Regulations. In addition, all pertinent Port Authority Impound forms must be utilized and filled out completely when indicated or warranted.

CATEGORY 1 - Abandoned Vehicles

These type of vehicles will only be impounded by the ACD Officers. Vehicles that fit this category are those that have been:

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- a. left in a public short-term parking lot for more than 30 days,
or
- b. left in a long-term parking lot for more than ⁶⁰45 days,
or
- c. stripped, vandalized, plates and/or stickers removed, etc., to the point where they detract from the orderly appearance of the surrounding area,
- d. any other vehicle that is in possession of this command for more than 20 days and goes unclaimed.
or
- e. any vehicle that has been parked in a tenant leasehold area or lot with written authorization from the tenant operator to remove and process as unclaimed.

1. In instances cited above, the vehicle will be assigned an impound number and the Police Impound Form (PA 2814) will be completed in full. The vehicle's plate and VIN will then be run via the CPD for ownership and lienholder. Upon receipt of this information on file with the DMV a registered or certified, return receipt letter will be sent to both owner and lienholder.

2. If the vehicle remains unclaimed by either owner or lienholder after 10 days of the date the certified notices were sent via US Mail, the vehicle should be processed for disposal.

3. A. If either the owner or lienholder contact ACD and wish to make arrangements for retrieving the vehicle, prior to disposal by this Department, they will be advised of all appropriate towing and storage fees payable to this Department and the amounts of any 5 Star Parking fees for vehicles which were removed or recovered from their lots, as of the date of the vehicles being picked up by the owner, lienholder or representative.

B. If the located owner does not wish to claim the vehicle, they should be asked to notify this Department in writing, and sign over the title to The Port Authority of NY & NJ for disposal. A record of the conversation should be documented, (name, date, time, phone number to call back, etc.), in the vehicles file and the vehicle should be processed for disposal without further delay by the ACD officers.

C. In rare or unusual instances, fees in hardship cases, (vehicles involved in fatal accidents, owners on welfare, etc.), may be waived by the Facility Manager. Any waiver of fees must be documented on the receipt for the vehicle. In each instance the Security and Equipment Lieutenant will be make any waiver of fees request directly to the Facility Manager. [see PAI 40-2.15, p.5, para. L].

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4. Vehicles that have a wholesale value of less than ^{\$1250}~~\$750~~, AND do not have plates attached, will immediately be prepared for disposal by this department after its VIN has been run by the CPD for NCIC and ownership, and the information is recorded in the impounded vehicles numbered ACD file.

5. It should be noted that as per the NYS DMV procedures the assessed value of a vehicle will be done by utilizing a commonly available vehicle value guide, in this case the NADA Wholesale Used Car Trade-in Guide, making appropriate allowances for the actual condition of the vehicle.

6. In each and every instance above, for vehicles manufactured after 1973, a Form MV 906A, (Abandoned Vehicle Acquisition) and an MV 907A, (Salvage Certificate), will be completed in preparation for disposal.

7. For vehicles manufactured before than 1973, a bill of sale and a 906A is all that is required.

8. When the vehicles are ready for disposal, either by salvage or auction, each vehicle's VIN and State plate numbers, if any, must be run via the CPD within 24 hours of the actual disposal of each vehicle. This will ensure that this Department is not selling a vehicle which has been reported stolen since impoundment, and that any active "stolen" alarms have been canceled.

CATEGORY 2 -- STOLEN RECOVERED

Vehicles that fit this category are any type of vehicle which has been reported stolen and has an active alarm. The following steps will be taken:

1. The vehicle will be impounded and a Police Impound Form will be completed in full by the Officer making the impound and recovery. The vehicles contents will be inventoried and listed on the impound form. The inventory will be witnessed by a Police Supervisor at the time of impound. Any property, other than contraband or normal components found in vehicles (ex. spare tire, jack, etc.), will be packed up and forwarded to the Port Authority Lost and Found Office at Building #14. The property tag should contain the name of the last registered owner, if known, as well as the Impound number of the vehicle in which the items were found. These steps must be followed and are in compliance with the directives of PAI 15.-5.02. All contraband will be vouchered by the impounding Officer and a copy of the voucher attached to the impound form.

2. The CPD will be notified of the vehicles recovery and informed of the JFK Impound number. Additionally, the teletype

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operator should be informed of the condition of the vehicle, the number of plates recovered, and the number of arrests, if any.

3. An NCIR for Recovery of Stolen Vehicle will be completed.
NOTE: If the vehicle was originally reported stolen from JFK, a CCR Follow-Up will be completed using the same case number assigned to the original CCR.

4. When the rightful owner or proven designated agent (written proof required) presents themselves, the vehicle shall be returned and the contents of the vehicle that were removed and placed into Lost and Found, unless there is an investigatory hold against the vehicle by other government agencies, or valid proof of ownership is lacking, or all outstanding parking, handling and storage charges are not paid. In the case of recovered stolen vehicles, the vehicle can be released after it is confirmed that the stolen alarm has been cancelled, but no sooner than 72 hours after recovery. Storage fees for the vehicle will not begin until three working days after the owner is notified of recovery. A copy of the teletype message cancelling the stolen vehicle alarm must be transmitted to the releasing facility prior to releasing the vehicle.

5. Follow steps #1,2,3,6, and 7 above for Abandoned Vehicles.

CATEGORY 3 - SAFEKEEPING

Vehicles that fit into this category are those that have been damaged in an accident, damaged or otherwise rendered unsecurable having been the subject of a crime, or any vehicle that is not required as evidence, and the operator was arrested, an aided, etc.

1. Follow steps #1,2,3,6 and 7 above for Abandoned Vehicles.

An exception to this would be if the owner was hospitalized and otherwise unable to respond to the written notification of this Department's possession of said vehicle and intent to dispose of same. In this instance the ACD Lieutenant should be notified of the specific conditions that surround these types of impounds so that a reasonable means of returning the property to its lawful owner can be determined, prior to the implementation of standard disposal methods.

NOTE: All fees shall be collected whenever a vehicle is impounded and towed by contract tow even if the vehicle is released within minutes of the original impound. A Tour Commander has the ability to waive towing or storage fees due provided it is documented on the PAPD Vehicle and Towing receipt that is filled out by the Tour Commander.

CATEGORY 4 - EVIDENCE OR USED IN COMMISSION OF A CRIME

Vehicles that have been involved in, or used in the commission of a crime, as well as any vehicle that has been in an accident involving a fatality or serious pedestrian injury, which will result in an Accident Investigation.

1. The vehicles that have been impounded for evidence must have a DA's release to be released from this Department's custody and control. Any vehicle that has been impounded as evidence beyond 30 days, will have all pertinent information forwarded to the Port Authority Police Queens Criminal Court Sergeant's attention for status update and immediate release if possible.
2. Once a DA's release is obtained the vehicle in question can be processed for disposal by following Steps #1,2,3,6 and 7 above for Abandoned Vehicles.

CATEGORY 5 - TRAFFIC AND VTL VIOLATIONS

Any vehicle that has been impounded as a result of a violation of Traffic Regulations or the VTL fit into this category provided they will not be required as evidence. In such cases, see Category 4 procedures and requirements.

1. Follow steps #1,2,3,6 and 7 above for Abandoned Vehicles.

In all cases cited above the Port Authority Police shall dispose of a vehicle in a manner consistent with the appropriate federal, state, and municipal laws, and all Departmental Policies and Instructions pertaining to disposition of vehicles, after all reasonable efforts to locate the rightful owners of vehicles in our inventory and control have failed, or that the Port Authority has been notified that the owner does not wish to claim the vehicle.

VEHICLES IMPOUNDED BY PATROL FORCE AND DETECTIVES

When a vehicle is impounded, the Tour Commander or Patrol Sergeant will be notified and the following procedures adhered to:

1. Permission to impound must be authorized by a Supervisor.
2. Contact authorized tow.
3. Prepare a Police Impound Form (PA 2814) and fill in completely.
4. The tow receipt will be signed by the impounding Officer, and his/her name shall also be printed, indicating name, rank, shield number, plate information and date.
5. The impounded vehicle will be inventoried and its contents

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listed on the impound form. The vehicles inventory and search will be witnessed by a Supervisor who will in turn sign the impound form as a witness.

6. All impounded vehicles will be run via the CPD by plate and Vin number for ownership and NCIC and a copy attached to the impound paperwork.

7. If a vehicle is impounded from a parking lot which generates an hourly or daily fee payable to the authorized vendor (currently Five Star), the impounding Officer will have the cashier at the exit booth contact their Supervisor to respond and record all information.

8. In the event, the vehicle was impounded from one of the pay lots, the impounding Officer will stamp the impound log entry with the appropriate stamp indicating that the Parking Lot Supervisor must be notified before the vehicle is released.

9. The impounding Officer will fill in the appropriate page in the Impound Log at the Police Desk with the name of the registered owner, name and address of individual operating the vehicle at time of impound, if any, and the Officers own name and shield number.

10. The vehicle's ignition, trunk, alarm and/or chapman lock keys will be placed into an Impounded Vehicles Key envelope. Only those keys needed to lock, unlock or operate the impounded vehicle will be taken into our possession. Under no circumstance will this Department take possession of any household keys, or keys other than those pertinent to the impounded vehicle. The impounding Officer will fill in the front of the envelope with the impound number, date, Officer's name, and year, make and plate number of the vehicle. The key envelope will then be placed into the Impounded Vehicle Key Box located behind the Police Desk.

11. Whenever a vehicle is impounded by a member of the force and it will need a DA's release, the name and phone number of the DA authorizing the keeping of the impounded vehicle shall be printed on the impound paperwork for later follow up by Auto Crime. Any reference on the impound form that a DA's release is required must be justified and cannot be done capriciously by an impounding officer.

VEHICLES IMPOUNDED BY ABANDONED CAR DETAIL - (ACD)

When a member of the ACD impounds a vehicle the following procedures will be adhered to:

1. Request an impound number from the Police Desk.
2. Prepare a PA-2814; Vehicle Removal and Impound Report in full.
3. If the vehicle is being removed from a Five Star operated parking lot, notify the Five Star Supervisor. See Section entitled Five Star Charges for lot fees and how they are calculated and collected. A Five Star Lost Claim Check form will be filled out and given to the Mystique tow truck operator so he can exit the lot with the vehicle and return it Building #254.

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4. Sign the tow truck drivers tow bill indicating VIN and Impound number.
5. Place impound numbers on front and rear windows of the vehicle with a marking crayon.
6. Take photographs of the vehicle, showing the right rear, front left, (include plate, if any), and the vehicles interior. As many photo's as necessary must be taken to provide a complete visual image of the condition of the exterior and interior of the vehicle, at the time of impound. The more photo's, the better.
7. Inventory the contents of the vehicle and place any valuables found in the vehicle into the Lost and Found, following the standard procedures for the recording and logging of found property. The vehicle impound number must appear on the property tag, as well as in the Lost and Found Log book.
8. Prepare an individual file folder for each vehicle impounded. The file will contain all paperwork, photo's, and any relevant correspondence to, or from, the owner and lienholder (if any), of the subject vehicle.
9. The vehicle will be stored in the ACD Impound Lot.
10. The vehicles plate number (if any), and VIN number must be immediately run for ownership, lienholder, and lost property. Copies of the teletype printouts of each vehicle will be maintained in each vehicle folder.
11. The steps outlined above in the sections entitled Category 1, 2, 3, 4 and 5, will be followed without delay. The initial objective is to return a vehicle to its lawful owner. The final objective is to prepare the vehicle for disposal within the guidelines of this procedure. Under no circumstance, is any portion of this procedure to be circumvented or by passed by any member of this Department.

TOW OPERATOR

Mystique towing is the current authorized tow service at JFK. As such all members of this Department, at JFK, will utilize this service provider without exception. The Tour Commander's, may at their discretion contact an alternate tow operator if under unusual circumstances Mystique does not respond within a reasonable time, or if they cannot provide the service needed. In each instance cited, the Tour Commander must document the necessity of such a decision to the Commanding Officers attention.

Towing and Storage Charges

When the owner or person lawfully entitled to take possession of a vehicle in this Departments possession appears at either Building #269 Police Desk, or Building #254 Impound Lot, to retrieve an impounded vehicle, the charges will be based on the following:

- A. The Tow Fee Charges are as follows:
- | | | |
|----------------|-----------------------------------|----------|
| SEDANS/ VANS - | \$65 for normal tow | \$ 80.00 |
| 180 | \$49 for Dolly Wheels or Flat Bed | |

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TRUCKS/Trailers - ~~\$175~~ for Single Axle Truck
~~\$225~~ for Double Rear Axle Truck
~~\$275~~ Tractor Trailer Combo
~~\$225~~ Trailer 45' Length

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B. The Storage Fee Charges are as follows:

SEDANS/VANS - \$100 per day*

PLUS TAX

TRUCKS/Trailers - ~~\$24~~ *\$72* per day*

*No storage fee will be imposed if an impounded vehicle is picked-up within 24 hours of impound. If the vehicle is not picked-up within 24 hours, storage charges will be calculated from the date it was impounded, thru and including the date of release. (On Regular Tows there is no one day storage fee, two days minimum).

C. Vehicles impounded that require a DA's release, will not accrue storage charges. Storage charges will not begin to accrue until 72 hours after the DA's release is dated.

D. Vehicles impounded as "Recovered Stolen Vehicles" will not accrue storage charges for the first 72 hours after notification to the owner that the vehicle is recovered. The appropriate towing charges shall be applied, if any.

E. In all instances when fees are to be collected by this Department, a tax of 8 1/4% will be calculated on the total amount due and added to the Net Amount Due.

F. Under no circumstances is any member of this Department to accept cash as payment for fees due for towing or storage. In each instance a certified check, money order, or travelers check will be the only valid forms of payment for these fees. The Tour Commander will record all payments on Port Authority Vehicle Towing and Storage Receipt (PA 3279), and provide the original copy to the owner or their authorized representative, the white copy marked "Vehicle File" with the payment and all impound release paperwork that is placed into the safe in the evidence room, and the yellow copy will remain in the receipt book. The completed book will be returned to ACD via daily mail at the Police Desk. A spare Tour Commander's impound release receipt book will be kept in the ACD mailbox behind the Police Desk.

FIVE STAR CHARGES

Any vehicle that has been impounded from a Five Star operated parking lot, the Five Star Office in the IAB will be contacted at telephone number 244-4168, requesting a Supervisor to respond to the location of the impound in the lot. The only exception to this will be in the case of a stolen recovered vehicle. In this case Five Star charges will be incurred only if the vehicle entered the lot prior to the date of the alarm transmission.

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Charges will be calculated from the date of entry into the lot until the date the alarm was transmitted. Upon the collection of the fees by Five Star Supervisor, they shall enter their signature and the amount collected in the Impound Log on the appropriate page.

VEHICLES RELEASED BY THE TOUR COMMANDER

Tour Commanders may release any vehicle which is stored at the Bldg. #269 Police Impound Lot, upon presentation of a valid registration, insurance, drivers license, and in most cases the title for the impounded vehicle, by the owner or their agent, upon production of a notarized letter of authorization. In some instances a title may not have been sent to the owner of a vehicle who may have recently purchased it. It may be months after the original purchase date before a lawful owner may receive the NYS Title to their vehicle. Discretion, and good judgement should be exercised on the issue of producing a title. A bill of sale for such a vehicle would indicate the actual date of its sale to the owner as a source of review for the Tour Commander.

If the vehicle being released is not currently registered, but all other documents of ownership are in order, the vehicle may be released and towed or flatbed from the impound lot.

Vehicles that require a DA's release will not be released without the approved release paperwork issued by the Queens District Attorney's Office. In some instances, partial releases only have been authorized by the DA, make certain that only that property specifically identified and listed on the release are turned over to the owner, or their agent.

In all instances where an impounded vehicle is released by this Department, an Impound Form and a Vehicle Towing and Storage Receipt, MUST be completed by the Tour Commander, even if there are no towing or storage fees associated with the vehicle.

Nothing in the aforementioned release procedure shall prohibit a Tour Commander from releasing a vehicle without proper documents being presented (except for a DA's release) when the Tour Commander can verify ownership of and the right for the operator to possess the vehicle.

Vehicles that have been relocated from the Bldg #269 Police Impound Lot by the ACD Officers to another location under the specific control and responsibility of ACD will only be released by the ACD Officers. ACD will only release vehicles during the regular business hours of 0600-1500, Monday thru Friday, excluding holidays. ACD should be contacted at (718) 244-4345 to make arrangements for payments due and pickup.

VEHICLES RELEASED BY ABANDONED CAR DETAIL (ACD)

ACD will release all vehicles which are in their custody and control, regardless of location.

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ACD, like the Tour Commander, will ascertain whether the individual claiming a vehicle is the owner of the vehicle. Presentation of a valid registration (if not currently registered the vehicle must be towed), a current insurance card, a valid drivers license, and title if available.

If the individual is not the owner, they must present a notarized letter of authorization, signed by the owner. Additionally, if a DA's release is required, it to must be presented and maintained with the vehicle paperwork.

ACD will collect all fees due to the date of release, and complete a PA3279, Vehicle Towing and Storage Receipt, for each vehicle released, even if no fees have accrued.

In some instances, stolen recoveries etc., an agent of the lienholder or insurance company will seek recovery of a vehicle in this Departments custody and control. In each instance, a notarized letter of authorization from the insurance company or lienholder, must be tendered, indicating and identifying the person presenting same, as being authorized to claim the vehicle, as well as any other paperwork required to verify rightful claim to ownership of the vehicle in our possession. All fees due will still be collected.

RELEASE OF VEHICLES TO OTHER LAW ENFORCEMENT AGENCIES

Vehicles which have been impounded for Criminal Involvement (DOA in trunk, etc.) or impounded at the request of another law enforcement agency, may be released to an employee of the requesting agency upon identification of the individual. A PA 2814, Vehicle Impound Report and a PA 3279, Towing and Storage Receipt, will be completed in full in each case without exception.

DUTIES OF THE ABANDONED CAR DETAIL

ACD will maintain records of the locations on the facility of abandoned vehicles, and will remove and process them for disposal according the procedures outlined above.

A daily log will be maintained to include, monies handled, current vehicles in JFK ACD inventory and control, as well as the following information for each vehicle in its own file:

- Impound number with year of impound
- Year, make, model, style, license plate number and state, VIN, color, owners name, owners address, lienholders name, lienholders address.
- Vehicle inventory record
- Date of impound
- Location at time of impound
- Impounding Officers Name, shield number
- Date entered parking lot, if recovered from one
- Reason for impound
- Continuous Chronology of activity regarding the vehicle since

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- its impound
- Date of release
- Amount of fees collected by Port Authority and Five Star, if applicable
- Disposition of vehicle, sale, auction, junk etc.
- Date of Disposition
- Identification of vendor at time of disposition to someone other than the owner
- Copies of all NCIC, ownership, lienholder, correspondence, towing bills, etc. specific to that vehicle
- photos taken at time of ACD taking vehicle into its custody and control

A vehicle that has been impounded by the patrol force and remains in this department's custody and control for more than 7-14 calendar days will then be taken into the custody and control of the ACD officers, and relocated to another location other than Bldg#269. At this point, the vehicle can only be released by the ACD officers by appointment. The vehicle once taken into the possession, custody and control of the ACD officers, the vehicle will be reinventoried and photographed and will be processed for disposal of said property without undue delay as per these procedures and in full compliance with New York State Department of Motor Vehicles Disposal Guidelines.

ACD will prepare an individual file as outlined above for each vehicle that is a recovered stolen vehicle, contact the NICB, (National Insurance Claims Bureau at 1-800-842-6282), and run the vehicles VIN# to ascertain if the vehicle has had an insurance claim paid off on it, and if a "hit" is received, a certified letter will be sent to the insurance company of record.

ACD will in each and every case, ascertain from DMV records, the last registered owner and lienholder (if any) and send a certified return receipt letter to those identified via this check.

Ten days after the date of the aforementioned letters, the vehicle will be processed for disposal. All letters that are returned as, "refused", or "unclaimed", or "addressee unknown", will be placed into the individual vehicles folder, and processed for disposal without further delay.

In instances when this department is notified of intent to claim said property as a result of their receipt of ACD's certified letters, reasonable time will be given for them to decide whether they will pay all fees due and claim the vehicle. Under no circumstance, should a period of more than 14 days elapse without some form of positive steps to be taken to recover, or retrieve the vehicle in question without the specific approval of the ACD Lieutenant. Absent that the vehicle will continue to be processed for disposal.

Any vehicle that has been signed over to the Port Authority, via title, will be run through NCIC - lienholder and then will be processed for immediate disposal by the ACD officers.

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Vehicles that have been reviewed and approved for disposal or auction will be signed off on by the ACD Lieutenant, and a list of same will be forwarded to Port Authority Materials Management Division for final disposition or sale.

JFK AUTO CRIME DETAIL

Reviewed/Revised 02/03/00 Lt. K. Hassett

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